

CARTERTON TOWN COUNCIL
MINUTES OF THE MEETING HELD IN THE TOWN HALL
ON TUESDAY 18 SEPTEMBER 2018
COMMENCING AT 7.45 PM

Present: Cllr M McBride – Chairman
Cllr Mrs M Mead – Vice-Chairman

Cllr Ms J Bull Cllr Mrs L Little
Cllr Miss S Coul Cllr D Melvin
Cllr R Crapper Cllr P Scott
Cllr Mrs C Delaney Cllr Mrs S Scott-Stovold
Cllr Mrs E Hatton Cllr D Wesson
Cllr J Hayes Cllr Mrs C Wilson
Cllr N Leverton

Apologies: Cllr Mrs D Bulley

Officer: Ron Spurs – Town Clerk

In attendance: Cllr P Handley (County Councillor)
Cllr N Field-Johnson (County Councillor)
Eighteen members of the public

71 DECLARATIONS OF INTEREST

Cllr Mrs Little declared that she was recording the meeting.

72 MINUTES OF THE LAST MEETING

Cllr Mrs Little said that Paragraph 4 of Item 53 was incorrect as it should have included the SAR that had been submitted by her solicitor, but the Clerk pointed out that the SAR had not been submitted when the meeting had taken place.

A vote was taken, with nine in favour and four against. Cllr Mrs Little asked that her vote against be recorded in the Minutes. The Minutes of the Meeting held on 17 July 2018, previously circulated to Members, were approved as a true record and signed by the Chairman.

73 TOWN MAYOR'S ANNOUNCEMENTS

The Mayor and Deputy Mayor had attended a number of events representing Carterton in the wider community as well as within the town:

- On 20 July, children from Carterton Primary School held a Carnival Procession from the school to the Market Square and gave an excellent singing performance.
- On 21 July, the Mayor attended Bicester Civic Service, which included the Freedom of the Town for 1 Logistics Squadron.
- On 25 July, the Mayor and Deputy attended the Civilian/Military Partnership Briefing at RAF Brize Norton.
- On 29 July, the Mayor and Deputy attended the bandstand concert by Wantage Brass Band, which was held in Brownes Hall due to wet weather.

- On 11 August, the Mayor and his Consort attended a fundraising event for Room to Learn UK, a charity teaching disadvantaged children in India.
- On 14 August, the Mayor attended a meeting at the Town Hall with RAF Brize Norton concerning the use of drones in the area.
- On 18 August, the Mayor and his Consort attended the 75th Birthday Celebration of the Oxfordshire Trefoil Guild at Dorchester Abbey.
- On 26 August, the Mayor and Deputy attended a concert by Highworth Silver Band, which was again held in Brownes Hall due to wet weather.
- On 1 September, the Mayor had been invited by the Base Commander to their Brizefest event.
- On 9 September, the Mayor attended Abingdon Civic Service at St Helen's Church.
- On 16 September, the Mayor and his guests attended Carterton's Battle of Britain Civic Service at St John's Church.
- On 17 September, the Mayor had a very positive and productive meeting with the new Station Commander. Another meeting would take place in three months' time, with further meetings taking place every six months. It was hoped to arrange a visit to RAF Brize Norton for Councillors who had not been before.

74 CLERK'S REPORT

The Clerk's Report, copies of which had previously been circulated, was received. The Report is attached at Annex 'A'. See below.

Cllr Mrs Little wished to comment on the contents of the report but was given a warning by the Chairman that she should not continue to disrupt the meeting.

75 ADJOURNMENT FOR MEMBERS OF THE PUBLIC TO RAISE MATTERS

Gill Crapper stood up to speak regarding Item 3 on the Agenda, in particular the Civic Service hosted by the Mayor. She said that almost half of the Town Councillors did not do their civic duty by attending the Civic Service on Sunday. Apologies had been received from Cllr Miss Coul, Cllr Mrs Delaney, Cllr Hayes, Cllr Mrs Little and Cllr Melvin.

Jenny McBride stood up to speak regarding Item 10 on the Agenda, the move of the artwork from Carter's Walk to the Market Square. She said that her husband (Cllr McBride) had been subject to verbal abuse by a so-called friend because of the Council's decision to remove the artwork. She personally believes that the new location is better suited for people to see.

Nicola Lazarus also spoke regarding Item 10. She was angry about the removal of the statues and did not understand that when a Councillor's wife submits a petition to have them removed and then a member of the public submits a petition to keep them where they are, which contained more signatures than the first petition, that both the Mayor and Deputy did not at least put the removal on hold until the next Council meeting. She did not feel that it was right when they were supposed to be representing the people of Carterton to not even be given a chance to discuss it at this meeting. Her three-year-old had loved them in Carter's Walk, but the new location under a tree where they will be covered in bird poo will mean they are less well used.

Nigel Willacy of 50 Swinbrook Road had written a letter to the Council regarding hedge maintenance. The item was not on the Agenda, but the Clerk accepted his letter.

Jason Mead asked as a Carterton resident when the petty squabbles within the Council were going to end. The Town Councillors should be working together for Carterton and the continuing battle was deflecting them from fulfilling their roles effectively. There were a small

minority looking out for their own interests, disrupting the Council's work at every opportunity and making a mockery of what the Council was supposed to be.

Adrian Whitford of 2 Cotswold Way asked if the Council could give a valid reason for moving the seats from Carter's Walk. Cllr Mrs Mead, as Chair of the Amenities & Economic Regeneration Committee, said that the first petition had been received in 2015 and the Chair of the committee and of Council at that time had taken it to a full Council meeting in January 2016 and they were the Councillors that had resolved to move the statues. Suitable locations were then sought and eventually the current location was decided.

The Chairman thanked the members of the public for their comments. The Council appreciated their concerns and he was pleased to see people coming to this meeting to express their views.

76 ADJOURNMENT FOR COUNTY COUNCILLORS TO RAISE MATTERS

Cllr Field-Johnson had submitted a written report to the Clerk, which was tabled at this meeting. One item he wished to highlight from the report was the new partnership between Oxfordshire County Council and Cherwell District Council to provide shared services, which would significantly reduce costs to the County.

OCC were under pressure to build more houses. Carterton has a big need for further houses to be built to support local schools and shops, particularly where the hold RAF houses were demolished. He asked the Council whether they were going to put together a new or revised housing plan. The Clerk said he had met with officers from WODC on three occasions to discuss the Masterplan, Neighbourhood plans and Community plans and he would bring this to a Council meeting in the near future.

OCC had received a great deal of concerns about the recent removal of the bollards on Swinbrook Road, some in favour of keeping them and some against. Cllr Field-Johnson said it was not for OCC to decide on this. The Clerk said the Town Council had also received a lot of calls and emails from members of the public and suggested holding a public consultation. The issue is between WODC as the Planning authority, OCC as the Highways authority and David Wilson Homes who installed the bollards as part of the Swinbrook Park development.

Cllr Miss Coul said this had been consulted on and the bollards were a Planning requirement as part of the housing development. She asked why OCC had decided to remove them without any prior consultation. Cllr Field-Johnson said it was in response to concerns that ambulances were unable to get through on urgent calls.

Cllr Melvin said that the bollards were a Planning condition and that they would allow easy access to the emergency services. The matter is the responsibility of OCC and WODC. David Wilson Homes had received a call from OCC saying they were an unlawful obstruction of the public highway.

Cllr Mrs Hatton explained what had happened during a particular incident where an ambulance was called to a sick child and the paramedic had to run for ten minutes to reach the child. In another incident an ambulance called to a heart attack patient took 50 minutes to get there while they worked out an alternative route. There was also an incident where a child had suffered a head injury falling off a climbing frame. This occurs because the new housing development is not yet on their GPS system.

Cllr Handley said he was the County Councillor for the Ward and gave an update on the current situation. He said the Planning Permission had included the bollards, but they would be monitored. There had been three incidents involving medical emergencies and a solution needed to be found. He suggested a similar approach used in Kidlington where signage was in

place indicating Access for Emergency Vehicles Only, together with a couple of chicanes along Swinbrook Road to keep the speed down.

Cllr Handley said there had been a plan for consideration to put double yellow lines along Rock Road. This had not been passed as the road had been temporarily congested while the new houses were being built and the lines were no longer required. However, double yellow lines will be going ahead on Monahan Way. OCC were in the process of looking at ways to improve junctions in Carterton and the surrounding area. The Chairman said a meeting would be arranged to discuss this further.

Cllr Mrs Little referred to Cllr Field-Johnson's written report and asked that the Council record its congratulations to all the students of Carterton Community College and Burford School who had received their A Level results.

Cllr Field-Johnson said a motion had been unanimously passed at OCC to challenge Thames Water over the raw sewerage that were being dumped in our rivers. They are allowed by law to do so during heavy rainfall, but this was currently happening every two weeks.

Cllr Scott asked the County Councillors if they could look at the condition of the road through Filkins, being the main route taken by RAF personnel commuting from Swindon, which is in an extremely poor state.

Cllr N Field-Johnson asked if the Council could arrange a public meeting to discuss the bollards issue. Cllr M McBride, Chairman, said he would ask the Clerk to arrange this.

The Chairman thanked the County Councillors for their reports.

77 PLANNING COMMITTEE MEETINGS

Council received the Minutes of the Meetings of the Planning Committee held on 17 July, 21 August and 4 September 2018. These were noted.

78 AMENITIES & ECONOMIC REGENERATION COMMITTEE MEETING

Council received the Minutes of the Amenities and Economic Regeneration Committee held on 4 September 2018. The Committee recommended that Council approve the following:

(a) Christmas Lights. Twenty-four additional spherical light balls to hang on the standard columns in Brize Norton Road, Burford Road and Black Bourton Road at a cost of £2,688 plus fitting and VAT. Fencing for Christmas Trees at the Market Square and Marigold Square at a cost of £3,000 plus VAT. A hole would need to be excavated for the Marigold Square tree at a cost of £500, with lights for the tree costing £500 plus fitting and VAT. Carterton Community Centre would pay 50% of the costs for lighting the tree. An additional 10m x 2m drop of net lights for wall of The Original Factory Shop facing the Market Square at a cost of £355 plus fitting and VAT. Lights to focus on the Town Hall balcony at a price to be determined.

(b) Maintenance Works. Repair and maintenance of play equipment at Trefoil Way Playground at a cost of £1,567.50 and at Alvescot Road Recreation Ground at a cost of £1,127.25.

A vote was taken and Council resolved to APPROVE the above items. Cllr Mrs Little wished her abstention to be noted.

79 EXTRAORDINARY TOWN COUNCIL MEETING

Council received the Minutes of the Extraordinary Town Council meeting held on 21 August 2018. A vote was taken and the Minutes were APPROVED. Cllr Mrs Little abstained.

80 CARTERS WALK ARTWORK

The Clerk had been asked to put this item on the Agenda in response to public interest in the move of the seats from Carters Walk to the Market Square. The item had been covered in the Adjournment at Item 75.

81 APPLICATIONS FOR FINANCIAL ASSISTANCE

Council had received the following applications:

(a) Oxford Parent Infant Project (OXPIP). The Council had previously awarded grants in 2016, 2017 and up to March 2018 and OXPIP had now applied for a further £2,000 to support their work with Carterton families for 2018-2019, on a draw-down basis as previously.

(b) Oxfordshire County Music Service. Cllr Norman MacRae, District Councillor, had forwarded this application for the Town Council to consider. The Music Service were seeking £2,000 to support their Buddy/SEND project at the Royal Albert Hall for children in Witney, Carterton and Burford. Council would be happy to consider support for the project on receipt of an application form.

(c) Carterton Lantern Parade. A request from Gill Carver at Carterton Community Centre had been received for £1,000 towards the cost of this year's Carterton Lantern Project. Cllr McBride said how lovely the Lantern Parade had been in previous years and deserved our continued support.

Council APPROVED the sums of £2,000 for OXPIP and £1,000 for the Lantern Parade. In respect of the Oxfordshire County Music Service, Councillors requested more information.

82 TRANSFER OR SALE OF COUNCIL OWNED LAND

Council received a report from the Town Clerk to consider approval of a draft Policy on the transfer or sale of land that it owns. The Council had over the years been approached by a number of residents to purchase small pieces of land attached to the curtilage of their property. There is currently no Council policy governing this area and adopting a clear Policy would provide clarity for residents and be simpler to administer by the Council.

This item would be discussed fully at the next meeting of the Administration Committee.

83 TRANSFER OF NEW ALLOTMENTS TO CARTERTON TOWN COUNCIL

Council received a report from the Town Clerk seeking approval to transfer ownership of the new Allotments at Elmhurst Way from David Wilson Homes to Carterton Town Council. A vote was taken, with nine in favour and three abstentions. The Clerk had met with the Chair of the Allotments Association, representatives from West Oxfordshire District Council and David Wilson Homes. The construction and facilities provided on the new site were acceptable to the Allotments Association. David Wilson Homes have agreed to supply a shed for each allotment and to provide new topsoil for the site. A response was awaited from WODC as to whether there were S106 funds available to support the transfer.

The Clerk had received the good news today that the Allotment Association had received an International Award for the allotments in Carterton.

Cllr Miss Coul said that providing allotments for residents is one of the Council's statutory duties and considering that there is a long waiting list for an allotment, the new site should be welcomed.

Council RESOLVED that the transfer of the new allotments be APPROVED.

84 HR REVIEW

Council received a report from the Town Clerk to appoint an HR company to conduct a staff review and to be the Council's HR specialist. The review was recommended by the Administration Committee on 5 June 2018 and approved at the full Council meeting on 19 June 2018. The purpose of the review will be to determine that the right number of staff are employed to ensure the efficient operation of the Council, that job descriptions fit with work undertaken by staff, that staff pay is commensurate with the work being delivered, and to explore any opportunities for savings and outsourcing.

Three HR providers were considered - William B Rose, Citrus HR and Peninsula HR, details of which were circulated to Councillors separately. The Clerk recommended Peninsula HR as, although not the cheapest option, they had a strong record of providing good HR services to Councils in West Oxfordshire and the Director of the Company was a Carterton resident and would be available for urgent consultation by the Clerk or Mayor if required.

Cllr Miss Coul said that the Council had a duty to its staff to ensure they get the best review and was happy to propose the recommendation.

Council RESOLVED to APPROVE the appointment of Peninsula HR.

85 HR TRAINING FOR COUNCILLORS

Council received a report from the Town Clerk to consider the appointment of Morgan HR to conduct appraisal training for the Councillors who were on the Appraisal panel for the Town Clerk. The training would cost £600 plus VAT for a group of up to eight people. To defray the cost the Clerk had offered places to other Councils.

A vote was taken and Council RESOLVED to APPROVE the appointment for Morgan HR. Cllr Mrs Little asked for her abstention to be noted.

86 ANNUAL RETURN – REQUEST FOR INFORMATION

A request for further information regarding the Council's Annual Return had been received from the external Auditor. The Clerk said that the information requested had been provided and he would circulate the response to Councillors.

87 MOTION OF NO CONFIDENCE

A Motion of no confidence was brought by Cllr Mrs Delaney, Cllr Hayes, Cllr Mrs Little and Cllr Mrs Wilson against the Chairman of the Council, Cllr McBride, and the Deputy Mayor, Cllr Mrs Mead. The Motion was brought on the grounds that pecuniary interests were not declared and because of their behaviour over the last 11 months they believed that they had taken decisions that were not in the best interests of Carterton residents. There had been a breakdown of trust and confidence in their ability to act within the policies and protocols of the Council.

The Clerk explained that a disclosable pecuniary interest is defined as:

- *Employment, office, trade, profession or vocation.* Any employment, office, trade, profession or vocation carried out for profit or gain.
- *Sponsorship.* Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period with respect of any expenses incurred by the member, in carrying out duties as a member, or towards the election expenses of a member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union (Consolidation) Act 1992(a).
- *Contracts.* Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
- *Land.* Any beneficial interest in land which is within the area of the relevant authority.
- *Licences.* Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
- *Corporate tenancies.* Any tenancy where (to a member's knowledge), (a) the landlord is the relevant authority, and (b) the tenant is a body in which the relevant person has a beneficial interest.
- *Securities.* Any beneficial interest in securities of a body where (a) that body (to a member's knowledge) has a place of business or land in the area of the relevant authority, and (b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued shares in the capital of that class.

Cllr Mrs Wilson stood up to speak:

“You have not shown any regard to the Council’s Code of Conduct and continue to flout the Council’s Standing Orders and Policies. You have failed to initiate an independent HR investigation into the two serious complaints that were given to the Council last November 2017. We also believe that you do not have the best interests of the public in mind when you propose and agree spending the public’s money. In May you both agreed to uphold the Code of Conduct yet continue to hold meetings that the full Council are not aware of. You continue to bring this Council into disrepute by allowing the Clerk in his reports to talk about confidential matters. Confidentiality is part of the Code of Conduct yet you both continue to disregard this.

We therefore would respectfully ask you to consider your position and resign so that the Council are given the chance to elect a Mayor and Deputy who can demonstrate that they have the best interests as their priorities.

It also transpires that Carterton Town Council insurers have informed that they do not insure Councillors in respect of private legal action that has been referred to in previous meetings. That means that over £7,000 has been spent of public money and needs to be returned”.

Cllr Mrs Little said she was disappointed that in May she listened to Cllr McBride’s opening speech and felt that we would be stepping forward, keeping to the Code of Conduct and the Nolan Principles, and yet here we were nearly a year later with a situation that could have been totally avoided last October. She said it could be resolved quickly by having an independent HR come in and look at the two complaints and their resolution would then put an end to the current situation. She urged the Mayor and Deputy to take that route.

Cllr Mrs Delaney said she concurred with what Cllr Mrs Wilson and Cllr Mrs Little had said but would also highlight the HR issue that was discussed at a meeting some time ago that Councillors should have training to undertake Appraisals.

Cllr Hayes said he also concurred and said his main issue was a concern for taxpayer's money being spent on a private legal matter.

Cllr Scott said he concurred with Cllr Mrs Little's comments.

Cllr Mrs Hatton said that since she had been a Councillor she had seen a lot of changes, including a lot of sadness and stupidity that could have been avoided. She said that Cllr McBride had always shown integrity, putting people first, and she found this situation to be an insult to everyone sat round this table that Councillors would vote in two people who were dishonest. The whole situation with Councillors suing other Councillors, whether it was with taxpayer's money or not, should not have happened in the first place. The Council is wasting time arguing over these things rather than working for the people of the town, who just want to see an end to this.

Cllr Mrs Scott-Stovold said she concurred with what Cllr Mrs Wilson had said.

Cllr Miss Coul said that the Mayor and Deputy were voted in to make improvements to the town and although it was not a unanimous vote the aim was the same. She said that in her professional life she deals with people in public service, from Secretaries of State down to Parish Councillors, and could honestly say that the behaviour of Cllr McBride and Cllr Mrs Mead is some of the best she had seen.

Cllr Ms Bull said she did not support the Motion as she did not believe there was any evidence base to support it and she fully supported the Chair and Deputy of this Council.

Cllr Melvin said that he could see no justification to bringing this Motion let alone for him to support it. He wondered if it was a distraction to deflect from more serious business the Council should be considering or a retaliation for the two Votes of No Confidence that had been brought against Cllr Mrs Little when she was Mayor.

Cllr Mrs Wilson was offered the opportunity to speak again but declined.

A vote was taken, with six in favour and seven against. Council RESOLVED against the Motion.

88 FINANCIAL STATEMENT

The Financial Statements to 31 July and 31 August 2018, set out at Annex B, were APPROVED.

89 INCOME RECEIVED

Income Received during July and August 2018, previously circulated, was noted.

90 DEBIT CARD TRANSACTIONS

Debit Card transactions for July and August 2018, previously circulated, were noted.

91 ACCOUNTS FOR PAYMENT

The Accounts for Payment for August 2018, set out at Annex C, were noted.

Council RESOLVED that the Accounts for September 2018, set out at Annex C, be APPROVED for payment.

92 PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

RESOLVED that as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, the Press and Public be excluded from the Meeting.

Confidential items follow.

93 MINUTES OF TOWN COUNCIL MEETING – ITEMS 69-70

The confidential items from the Minutes of Town Council meeting held on 17 July 2018 were received. A vote was taken and Council RESOLVED to APPROVE the Minutes as a correct record. Cllr Mrs Little asked that her vote against be recorded.

94 MINUTES OF EXTRAORDINARY TOWN COUNCIL MEETING – ITEMS 74-75

The confidential items from the Minutes of the Extraordinary Town Council meeting held on 21 August 2018 were received.

A vote was taken and Council APPROVED the Minutes as a true record.

The meeting ended at 9.05 pm

16 October 2018

Town Mayor

1 Clerk's Authority

The Clerk's Authority has been used for the following purposes:

- Purchase of online access to "The Purple Book" – Guide to Event planning.
- Payment for interview with Governance specialist – Dennis Helliwell - £250.
- Purchase of second-hand comb document binder from Shillbrook Stationary - £100.

The binding machine had since been returned as it was not suitable for our purposes.

2 Report of Meeting with Dennis Helliwell

Mr Helliwell was employed by the Council in 2014 to advise on governance matters.

Present: Cllr M McBride, Cllr M Mead and Cllr N Leverton

The meeting covered:

- Governance and Code of Conduct issues
- A previous member of staff and Employment Tribunal matters
- Advice previously provided regarding the Mayor's Allowance Account by Mr Helliwell (and other financial matters).

Mr Helliwell stated that in 2014 he advised the Mayor that a number of urgent actions were required to ensure the Council operated properly.

During the meeting on 5th September 2018 with Mr Helliwell it was alleged that information recorded in Council Minutes regarding the resignation of a member of staff was misleading and that the facts surrounding the case were different to those recorded. He acted as an advisor to the member of staff concerned.

In relation to specific accounts he reported that in 2014 he advised:

- "The account with only one signatory should be closed and its activity posted to the correct part of the financial ledger.
- The dormant account should be recorded in the financial ledger, a project identified, and the funds ring fenced for that project.
- Elected members should not have uncontrolled access to public funds

During the meeting attended by myself, a council officer (name removed) and Cllr Mrs Lynn Little where this advice was given, a number of questions came up about the Mayors allowance account:

- What was the purpose of the Mayors allowance account?
- Could the Mayor have sole access to the account?
- Could the account be used for charitable purposes such as holding money collected for charity and making donations to charity from council funds?

Advice given:

- The Mayors allowance is an amount of money identified in the council's budgets to cover the out of pocket expenses incurred by councillors carrying out civic duties. It is subject to the normal public services expense's regulations.
- It is not good practice for this to be an actual bank account. No public sector bank account should be established with only one signatory. This could lead to misuse and misappropriation of public money resulting in prosecution that would carry a custodial sentence. Examples of this happening in other councils was provided.
- Monies collected on behalf of charities or monies donated to charities by the council via it elected members must be accounted for as per public sector accounting rules. In short the SFO is responsible for these activities and must show them in the councils accounts as per the current financial regulations

Following this meeting and during the time I remained involved I noted that while recommendations were acted on a degree of resistance to the removal of the Mayors allowance account was evident even when the newly appointed accountant reiterated and supported the original advice."

This information will be passed to the Council's solicitors in support of the Council's ongoing attempts to recover funds from Cllr Mrs L Little. **Noted**

3 **Update regarding legal proceedings**

The civil allegation of Harassment made by Linda Little (claimant), against four Councillors and a member of staff has not been proceeded with by the Claimant. The Council's solicitors are acting in accordance with previous Council resolutions to recover funds from Cllr Mrs L Little. **Noted**

4 **Subject Access Request**

A Subject Access Request from a resident has been received by the Council. The matter will be dealt with by the Data Controller for the Council. **Noted**

5 **Diary Dates**

Friday 21 September	Battle of Britain Fish & Chip Supper
Sunday 30 September	Hook Norton Brass Band Concert on ARRG
Tuesday 2 October	Planning Committee
Tuesday 9 October	Administration Committee
Tuesday 16 October	Planning and Town Council
Sunday 11 November	Remembrance Sunday

R Spurs
Town Clerk